IN THE HIGH COURT OF HIMACHAL PRADESH, SHIMLA.

CWP-T No. 6003/2008

Decided on:16.6.2010

Shanti Prakash Rana. …Petitioner.

Versus

State of H.P. and another. …Respondents.

Coram:

Hon'ble Mr. Justice Rajiv Sharma, Judge.

Whether approved for reporting?[1] No.

For the petitioner : Mr. Bhuvnesh Sharma, Advocate.

For the Respondents: Mr. Vikas Rathore, Dy. Advocate General with Mr. R.P. Singh, Asstt. Advocate General

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Rajiv Sharma, Judge (oral**)**.

Petitioner was appointed as Arts and Crafts Teacher in the respondent department on temporary basis on 17.9.1963. He was regularized on 8.4.1968. He obtained his Bachelor of Arts (B.A.) degree from Himachal Pradesh University on 24.1.1971. He was placed in J.S.T. scale with effect from 24.11.1971.

Case of the petitioner, in a nutshell, is that he is entitled to be re-designated as Trained Graduate Teacher and to be assigned the seniority as Trained Graduate Teacher. He has relied upon Annexure A-2 dated 2.3.1981. The category of the petitioner has not been included in Annexure A-2 dated 2.3.1981. Case of the

[1] Whether reporters of the local papers may be allowed to see the judgment? No.

respondent-State as argued by Mr. R.P. Singh, in a nutshell, is that though the petitioner has been granted J.S.T. scale, however, he could not be re-designated as Trained Graduate Teacher since he does not possess B.Ed. degree.

It has come in the reply that C&V teachers, who possess B. Ed. degree are promoted to the post of Trained Graduate Teacher. A person, who does not possess B. Ed. degree, cannot be treated as Trained Graduate Teacher. Petitioner has already been granted J.S.T. scale after improving his qualification. What category is to be included in Trained Graduate Teachers' cadre and in what manner is a policy matter. This Court will not go into this question being a policy matter.

Accordingly, there is no merit in the petition and the same is dismissed.

(Rajiv Sharma),
Judge

16.6.2010
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